

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

David JONES, JR.,

Plaintiff,

v.

James TAYLOR, *et. al*,

Defendants.

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CIVIL ACTION NO. 5:09-CV-391 (MTT)

ORDER

This matter is before the Court on the Recommendation to Grant (Doc. 69) (the “Recommendation”) of United States Magistrate Judge Thomas Q. Langstaff. The Magistrate Judge, having reviewed Defendants James Taylor, Steven Roberts, and Alan Adams’ Motion to Dismiss (Doc. 18) (the “Motion”), recommends granting the Motion because the Plaintiff had not demonstrated these Defendants personally participated in the alleged constitutional violations or ratified a custom or policy resulting in a deprivation of constitutional rights. The Magistrate Judge also found that the Plaintiff failed to allege facts sufficient to assert a retaliatory transfer claim against Defendant Adams. In the alternative, the Magistrate Judge held that these Defendants were entitled to qualified immunity. The Plaintiff filed an objection to the Recommendation (Doc. 70) (the “Objection”). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the Objection and has made a de novo determination of the portions of the Recommendation to which the Plaintiff objects.

The Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge. The Motion is **GRANTED**.

SO ORDERED, this the 28th day of March, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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